

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

IN RE: LANDON BRADSHAW DICKERSON } CHAPTER 13  
TERRI LEIGH DICKERSON }  
DEBTOR(S) } CASE NO. A16-69381-SMS  
 } JUDGE SIGLER

**MOTION TO RE-CONVERT THIS CASE TO ONE  
UNDER CHAPTER 7**

COMES NOW MARY IDA TOWNSON, TRUSTEE in the above-referenced matter, and files this Motion to Convert this Case to One Under Chapter 7. The Trustee respectfully shows the Court as follows:

1.

The Debtors filed for relief under Chapter 7 of Title 11 on October 30, 2016. Debtors' case was converted to Chapter 13 on January 31, 2017. The Debtors' plan was confirmed by the Court on April 25, 2017. The Debtors' plan proposes to pay secured, priority and general unsecured creditors a 7.07% dividend or \$5,938.96 pool of funds, whichever is greater.

2.

Debtors have failed to comply with this Court's Order requiring regular monthly payments to the Trustee. The Debtors should have paid \$57,015.97. The Debtors have paid a total of \$53,529.85, causing a delinquency of \$3,486.12.

3.

The Debtors' schedules show free and clear ownership of a 2016 Nissan Titan, thus showing a significant amount of equity in this vehicle. The Debtors have claims filed in the Chapter 13 case by general unsecured creditors and the proofs of claim have a

remaining balance of \$38,690.41. The equity in said vehicle appears to be sufficient to pay a substantial dividend to unsecured creditors and for the Debtors to retain their exemption.

4.

The Trustee respectfully prays that the Court waive the filing fee for the filing of this Motion; or, in the alternative, that the Court defer the payment of said fee until such time as this Motion is granted and if there are funds available in the case at that time.

WHEREFORE, the Trustee prays that this Chapter 13 case be converted to one under Chapter 7 pursuant to 11 U.S.C. Section 1307(b)and(c)(6) and for any other relief that may be just and proper.

Respectfully submitted this 17<sup>th</sup> day of November, 2020

/s/  
Albert C. Guthrie  
Attorney for the Chapter 13 Trustee  
Georgia Bar Number 142399  
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**NOTICE OF HEARING ON MOTION TO RE-CONVERT TO CHAPTER 7**

**CASE**

PLEASE TAKE NOTICE that MARY IDA TOWNSON has filed a Motion to Re-Convert this case to one under Chapter 7.

PLEASE TAKE FURTHER NOTICE that the Court will hold a hearing on the motion in **Courtroom 1201, United States Courthouse, 75 Ted Turner Drive, S.W., Atlanta, Georgia at 10:00 a.m. on December 15, 2020.**

“Given the current public health crisis, hearings may be telephonic only. Please check the [“Important Information Regarding Court Operations During COVID-19 Outbreak”](#) tab at the top of the GANB Website prior to the hearing for instructions on whether to appear in person or by phone.”

Your rights may be affected by the Court’s ruling on these pleadings. You should read these pleadings carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one). If you do not want the Court to grant the relief sought in these pleadings or if you want the Court to consider your views, then you and/or your attorney must attend the hearing. You may also file a written response to the pleading with the Clerk at the address stated below, but you are not required to do so. If you file a written response, you must attach a certificate stating when, how and on whom (including address) you served the response. Mail or deliver your response so that it is received by the Clerk at least two (2) business days before the hearing. The address of the Clerk’s Office is **Clerk, United States Bankruptcy Court, Suite 1340, 75 Ted Turner Drive, S.W., Atlanta, GA 30303**, and a copy furnished to the party listed below: **c/o Chapter 13 Trustee, Mary Ida Townson, Suite 1600, 285 Peachtree Center Avenue., N.E., Atlanta, GA 30303.**

/s/

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Albert C. Guthrie  
Attorney for the Chapter 13 Trustee  
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[albertg@atlch13tt.com](mailto:albertg@atlch13tt.com)

A16-69381-SMS

**CERTIFICATE OF SERVICE**

This is to certify that on this day I caused a copy of the foregoing pleading to be served via United States First Class Mail, with adequate postage thereon, on the following parties at the address shown for each:

**DEBTOR(S):**

Landon Bradshaw Dickerson  
537 Autumn Ridge Drive  
Canton, GA 30115

Terri Leigh Dickerson  
537 Autumn Ridge Drive  
Canton, GA 30115

I further certify that I have on this day electronically filed the pleading using the Bankruptcy Court's Electronic Filing program, which sends a notice of this document and an accompanying link to this document to the following parties who have appeared in this case under the Bankruptcy Court's Electronic Case Filing program:

GLEN JOHNSON, LLC

This 17<sup>th</sup> day of November, 2020

\_\_\_\_\_  
/s/  
Albert C. Guthrie  
Attorney for the Chapter 13 Trustee  
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Suite 1600  
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